

# **JOURNAL OF THE HOUSE**

## **EIGHTY-NINTH SESSION**

---

THIRTY-FIFTH DAY

---

STATE OF SOUTH DAKOTA  
House of Representatives, Pierre  
Wednesday, March 12, 2014

The House convened at 10:30 a.m., pursuant to adjournment, the Speaker presiding.

The prayer was offered by the Chaplain, Pastor Don Block, followed by the Pledge of Allegiance led by House pages Foster Berry, Heidi Ringling, and Mason Wenzel.

Roll Call: All members present.

### **APPROVAL OF THE JOURNAL**

MR. SPEAKER:

The Committee on Legislative Procedure respectfully reports that the Chief Clerk of the House has had under consideration the House Journal of the thirty-fourth day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,  
Brian G. Gosch, Chair

Which motion prevailed.

**REPORTS OF CONFERENCE COMMITTEES**

Cc1177

MR. SPEAKER:

The Conference Committee respectfully reports that it has considered HB 1177 and the amendments thereto made by the Senate, and the disagreement of the two houses thereon, and recommends that the House do not concur with the Senate amendments to HB 1177 and do not appoint a new committee.

Respectfully submitted,  
Brian Gosch  
House Committee Chair

Respectfully submitted,  
Mike Vehle  
Senate Committee Chair

**REPORTS OF JOINT-SELECT COMMITTEES**

MR. SPEAKER:

Your Joint-Select Committee appointed on joint rules respectfully reports that it has had under consideration the joint rules and recommends that the joint rules of the Eighty-ninth Legislative Session be adopted as the joint rules of the Ninetieth Legislative Session with the following changes:

Amend Chapter 6 of the Joint Rules as follows:

**6A-1. Legislative documents.** Only bills and the following may be introduced in the Legislature:

(1) A House or Senate resolution, ~~which shall pertain~~ pertains to the affairs of one house only and ~~require~~ requires action only by the legislative chamber concerned. A House or Senate resolution may be used to express an opinion or principle of one house, to express an opinion to or request of the other house, to regulate procedure, or to refer the subject matter of bills to the Legislative Research Council;

(2) A concurrent resolution, ~~which shall express opinions and principles~~ expresses the opinion or a principle of the Legislature not having the force of law. A concurrent resolution ~~may~~ shall only be used to authorize interim studies, joint rules, sessions or committees, to ~~memorialize or~~ instruct a department of state government, or to petition federal agencies;

(3) A joint resolution, ~~which shall contain~~ contains matters of legislation only. A joint resolution may be used to refer a matter for referendum to the people, to place a constitutional amendment on the ballot at the next general election, to ratify proposed

1 amendments to the United States Constitution, or to grant a water right pursuant to § 46-5-  
2 20.1;

3 (4) A House or Senate resolution of disapproval as provided under Article IV, Section 8,  
4 of the South Dakota Constitution; and

5 (5) A legislative commemoration, ~~which shall express~~ expresses recognition of service or  
6 achievements of national or statewide importance or ~~express~~ expresses sorrow over death  
7 or loss.

8 **6B-3. Limit on number of bills that may be introduced.** ~~No~~ A legislator may introduce as  
9 prime sponsor ~~more than only~~ only three individual bills or joint resolutions during the last three days  
10 for bill introduction prescribed by Joint Rule Chapter 17. A legislator may introduce as prime  
11 sponsor only four concurrent resolutions, three of which must be introduced before the ninth  
12 legislative day. The final day for introduction of the fourth concurrent resolution is prescribed  
13 by Joint Rule Chapter 17.

14 **6C-1. Bills and resolutions that require fiscal notes.** A bill, amendment, or resolution ~~which~~  
15 that has an effect on the revenues, expenditures, or fiscal liability of the state or any political  
16 subdivision of the state may include a fiscal note incorporating an estimate of the effect. This  
17 rule does not apply to the cost of legislative processing; or any appropriation bill with specific  
18 dollar amounts. A fiscal note is an estimate of the fiscal implications relating to revenues,  
19 expenditures or debt, and the probable cost of the bill, amendment, or resolution. In preparing  
20 the fiscal note, the Director of the Legislative Research Council may use information or data  
21 supplied by any person, agency, organization, or governmental unit that the director deems  
22 reliable. The director shall state the sources of the information or data used and may state the  
23 extent to which the director relied on the information or data in preparing the fiscal note. If the  
24 director is unable to acquire or develop sufficient information or data to prepare a fiscal note,  
25 the director may prepare the fiscal note stating that fact, and the fiscal note shall be deemed to  
26 comply with this rule. If the director determines that the fiscal impact of a bill, amendment, or  
27 resolution cannot be determined, the director may prepare the fiscal note stating that fact, and  
28 the fiscal note shall be deemed to comply with this rule.

29 This rule does not apply to fiscal impact statements required by §§ 2-1-19 and 2-1-20.

30 Amend Chapter 12 of the Joint Rules as follows:

31 **12-3. Voting procedures.** Questions shall be put in this form: "As many as favor the question,  
32 as stated, say 'Yea'; as many as are opposed to the question, as stated, 'Nay'." If the presiding  
33 officer doubts the result of a vote or if a division is called for, the members shall divide. Those  
34 in the affirmative shall ~~first~~ rise from their seats and remain standing until counted ~~and then~~  
35 ~~those in the negative shall vote in like manner.~~

1 The joint rules and the rules of the Senate and House shall be printed in the House Journal.

2 Respectfully submitted,  
3 Brian Gosch  
4 David Lust  
5 Bernie Hunhoff  
6 House Committee

Respectfully submitted,  
Corey Brown  
Tim Rave  
Jason Frerichs  
Senate Committee

7 Also MR. SPEAKER:

8 Your Joint-Select Committee appointed to make arrangements for legislative days  
9 respectfully reports that we recommend the days of the Ninetieth Legislative Session be  
10 January 13 through January 16, January 20 through January 23, January 26 through January 30,  
11 February 3 through February 6, February 9 through February 12, February 17 through  
12 February 20, February 24 through February 27, March 3 through March 6, March 9 through  
13 March 13, and March 30.

14 Respectfully submitted,  
15 Scott Munsterman  
16 Jacqueline Sly  
17 Peggy Gibson  
18 House Committee

Respectfully submitted,  
Corey Brown  
Tim Rave  
Jason Frerichs  
Senate Committee

19 **MESSAGES FROM THE SENATE**

20 MR. SPEAKER:

21 I have the honor to return herewith HB 1019, 1025, 1038, 1045, and 1148 which have  
22 passed the Senate without change.

23 Also MR. SPEAKER:

24 I have the honor to return herewith HB 1040, 1041, 1111, 1112, 1122, 1142, 1164, 1175,  
25 1194, 1203, 1206, 1213, and 1249 which have been amended by the Senate and your  
26 concurrence in the amendments is respectfully requested.

27 Respectfully,  
28 Jeannette Schipper, Secretary

29 Rep. Lust moved that the House do now recess until 12:30 p.m., which motion prevailed  
30 and at 10:42 a.m., the House recessed.

1 **RECESS**

2 The House reconvened at 12:30 p.m., the Speaker presiding.

3 There being no objection, the House reverted to Order of Business No. 6.

4 **REPORTS OF CONFERENCE COMMITTEES**

5 CcHCR1028

6 MR. SPEAKER:

7 The Conference Committee respectfully reports that it has considered HCR 1028 and the  
8 amendments thereto made by the Senate, and the disagreement of the two houses thereon, and  
9 recommends that the House do not concur with the Senate amendments to HCR 1028 and make  
10 no recommendation.

11 Respectfully submitted,  
12 Lance Russell  
13 House Committee Chair

Respectfully submitted,  
Billie Sutton  
Senate Committee Chair

14 **MOTIONS AND RESOLUTIONS**

15 Rep. Peterson moved that the House do concur in Senate amendments to HB 1164.

16 The question being on Rep. Peterson's motion that the House do concur in Senate  
17 amendments to HB 1164.

18 And the roll being called:

19 Yeas 57, Nays 12, Excused 1, Absent 0

20 Yeas:

21 Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall; Erickson; Feickert;  
22 Feinstein; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Heinert; Hickey; Hoffman;  
23 Hunhoff (Bernie); Johns; Kaiser; Killer; Kopp; Langer; Latterell; Lust; Magstadt; May;  
24 Mickelson; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Qualm;  
25 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum;  
26 Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer;  
27 Speaker Gosch

1 Nays:

2 Anderson; Bolin; Ecklund; Gibson; Hawks; Hawley; Heinemann (Leslie); Kirschman; Parsley;  
3 Peterson; Rasmussen; Ring

4 Excused:

5 Bartling

6 So the motion having received an affirmative vote of a majority of the members-elect, the  
7 Speaker declared the motion carried and the amendments were concurred in.

8 Rep. Schoenfish moved that the House do concur in Senate amendments to HB 1249.

9 The question being on Rep. Schoenfish's motion that the House do concur in Senate  
10 amendments to HB 1249.

11 And the roll being called:

12 Yeas 69, Nays 0, Excused 1, Absent 0

13 Yeas:

14 Anderson; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;  
15 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);  
16 Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);  
17 Johns; Kaiser; Killer; Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson;  
18 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;  
19 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;  
20 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;  
21 Wick; Wink; Wismer; Speaker Gosch

22 Excused:

23 Bartling

24 So the motion having received an affirmative vote of a majority of the members-elect, the  
25 Speaker declared the motion carried and the amendments were concurred in.

26 Rep. Don Haggar moved that the consideration of amendments to HB 1213 be placed to  
27 follow HB 1040 on today's calendar.

28 Which motion prevailed.

29 Rep. Romkema moved that the House do not concur in Senate amendments to HB 1206  
30 and that a committee of three on the part of the House be appointed to meet with a like  
31 committee on the part of the Senate to adjust the differences between the two houses.

32 Which motion prevailed.

1 Rep. Romkema moved that the House do concur in Senate amendments to HB 1203.

2 Rep. Lust moved the previous question.

3 Which motion prevailed.

4 The question being on Rep. Romkema's motion that the House do concur in Senate  
5 amendments to HB 1203.

6 And the roll being called:

7 Yeas 50, Nays 19, Excused 1, Absent 0

8 Yeas:

9 Anderson; Bolin; Cammack; Carson; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund;  
10 Erickson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Heinemann (Leslie); Hickey;  
11 Hoffman; Johns; Kaiser; Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson;  
12 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Qualm; Rasmussen;  
13 Romkema; Rounds; Rozum; Schaefer; Schoenfish; Sly; Solum; Stalzer; Steele; Stevens; Tulson;  
14 Werner; Westra; Wick; Wink; Speaker Gosch

15 Nays:

16 Campbell; Feickert; Feinstein; Gibson; Hawks; Hawley; Heinert; Hunhoff (Bernie); Killer;  
17 Kirschman; Parsley; Peterson; Ring; Russell; Schrempp; Soli; Tyler; Verchio; Wismer

18 Excused:

19 Bartling

20 So the motion having received an affirmative vote of a majority of the members-elect, the  
21 Speaker declared the motion carried and the amendments were concurred in.

22 There being no objection, the House reverted to Order of Business No. 4.

1                                   **COMMUNICATIONS AND PETITIONS**

2    March 12, 2014

3    Mr. Speaker and Members of the House of Representatives:

4    I have the honor to inform you that on March 12, 2014, I approved House Bills 1030, 1036,  
5    1050, 1058, 1077, 1081, 1104, 1110, 1154, 1163, 1167, and 1168, and the same have been  
6    deposited in the office of the Secretary of State.

7    Respectfully submitted,  
8    Dennis Daugaard  
9    Governor

10                               **MESSAGES FROM THE SENATE**

11   MR. SPEAKER:

12       I have the honor to inform your honorable body that the Senate has failed to concur in  
13   House amendments to SB 1 and has appointed Sens. Tieszen, Soholt, and Frerichs as a  
14   committee of three on the part of the Senate to meet with a like committee on the part of the  
15   House to adjust the differences between the two houses.

16   Also MR. SPEAKER:

17       I have the honor to inform your honorable body that the Senate has failed to concur in  
18   House amendments to SB 65 and has appointed Sens. Kirkeby, Krebs, and Welke as a  
19   committee of three on the part of the Senate to meet with a like committee on the part of the  
20   House to adjust the differences between the two houses.

21   Also MR. SPEAKER:

22       I have the honor to inform your honorable body that the Senate has failed to concur in  
23   House amendments to SB 108 and has appointed Sens. Rave, Brown, and Buhl O'Donnell as  
24   a committee of three on the part of the Senate to meet with a like committee on the part of the  
25   House to adjust the differences between the two houses.

26   Also MR. SPEAKER:

27       I have the honor to inform your honorable body that the Senate has failed to concur in  
28   House amendments to SB 158 and has appointed Sens. Rave, Brown, and Frerichs as a



1 committee of three on the part of the Senate to meet with a like committee on the part of the  
2 House to adjust the differences between the two houses.

3 Also MR. SPEAKER:

4 I have the honor to inform your honorable body that the Senate has failed to concur in  
5 House amendments to SB 177 and has appointed Sens. Peters, Phyllis Heineman, and Tidemann  
6 as a committee of three on the part of the Senate to meet with a like committee on the part of  
7 the House to adjust the differences between the two houses.

8 Also MR. SPEAKER:

9 I have the honor to inform your honorable body that the Senate has concurred in House  
10 amendments to SB 23, 25, 28, 53, 90, 99, 113, 143, 157, 168, 172, and 176.

11 Respectfully,  
12 Jeannette Schipper, Secretary

13 **ANNOUNCEMENTS**

14 The Speaker appointed Reps. Gosch, Stevens, and Gibson as a committee of three on the  
15 part of the House to meet with a like committee on the part of the Senate to adjust the  
16 differences between the two houses on SB 65.

17 The Speaker appointed Reps. Lust, Gosch, and Hunhoff as a committee of three on the part  
18 of the House to meet with a like committee on the part of the Senate to adjust the differences  
19 between the two houses on SB 158.

20 The Speaker appointed Reps. Romkema, Mickelson, and Hawley as a committee of three  
21 on the part of the House to meet with a like committee on the part of the Senate to adjust the  
22 differences between the two houses on SB 177.

23 The Speaker appointed Reps. Romkema, Mickelson, and Wismer as a committee of three  
24 on the part of the House to meet with a like committee on the part of the Senate to adjust the  
25 differences between the two houses on HB 1206.

**MOTIONS AND RESOLUTIONS**

Rep. Hoffman moved that the House do concur in Senate amendments to HB 1194.

The question being on Rep. Hoffman's motion that the House do concur in Senate amendments to HB 1194.

And the roll being called:

Yeas 69, Nays 0, Excused 1, Absent 0

Yeas:

Anderson; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Kaiser; Killer; Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson; Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

Excused:

Bartling

So the motion having received an affirmative vote of a majority of the members-elect, the Speaker declared the motion carried and the amendments were concurred in.

**ANNOUNCEMENTS**

The Speaker appointed Reps. Greenfield, Magstadt, and Peterson as a committee of three on the part of the House to meet with a like committee on the part of the Senate to adjust the differences between the two houses on SB 108.

**MOTIONS AND RESOLUTIONS**

(continued)

Rep. Hajek moved that the House do concur in Senate amendments to HB 1122.

The question being on Rep. Hajek's motion that the House do concur in Senate amendments to HB 1122.

1 And the roll being called:

2 Yeas 69, Nays 0, Excused 1, Absent 0

3 Yeas:

4 Anderson; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;  
5 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);  
6 Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);  
7 Johns; Kaiser; Killer; Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson;  
8 Munsterman; Nelson; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson;  
9 Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish;  
10 Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra;  
11 Wick; Wink; Wismer; Speaker Gosch

12 Excused:

13 Bartling

14 So the motion having received an affirmative vote of a majority of the members-elect, the  
15 Speaker declared the motion carried and the amendments were concurred in.

16 Rep. Romkema moved that the House do not concur in Senate amendments to HB 1111  
17 and that a committee of three on the part of the House be appointed to meet with a like  
18 committee on the part of the Senate to adjust the differences between the two houses.

19 Which motion prevailed and the Speaker appointed as such committee Reps. Carson,  
20 Wink, and Hawks.

21 Rep. Romkema moved that the House do concur in Senate amendments to HB 1041.

22 The question being on Rep. Romkema's motion that the House do concur in Senate  
23 amendments to HB 1041.

24 And the roll being called:

25 Yeas 65, Nays 4, Excused 1, Absent 0

26 Yeas:

27 Anderson; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;  
28 Ecklund; Erickson; Feickert; Gibson; Greenfield; Haggar (Don); Haggar (Jenna); Hajek;  
29 Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer;  
30 Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson; Munsterman; Nelson;  
31 Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen;  
32 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum;  
33 Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer;  
34 Speaker Gosch

1 Nays:

2 Feinstein; Hawks; Kaiser; Ring

3 Excused:

4 Bartling

5 So the motion having received an affirmative vote of a two-thirds majority of the members-  
6 elect, the Speaker declared the motion carried and the amendments were concurred in.

7 Rep. Mickelson moved that the House do not concur in Senate amendments to HB 1142  
8 and that a committee of three on the part of the House be appointed to meet with a like  
9 committee on the part of the Senate to adjust the differences between the two houses.

10 Which motion prevailed and the Speaker appointed as such committee Reps. Mickelson,  
11 Rozum, and Parsley.

12 Rep. Mickelson moved that the House do concur in Senate amendments to HB 1175.

13 The question being on Rep. Mickelson's motion that the House do concur in Senate  
14 amendments to HB 1175.

15 And the roll being called:

16 Yeas 63, Nays 7, Excused 0, Absent 0

17 Yeas:

18 Anderson; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;  
19 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);  
20 Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Johns; Killer;  
21 Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson; Munsterman; Novstrup  
22 (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;  
23 Romkema; Rounds; Rozum; Schaefer; Schoenfish; Sly; Soli; Solum; Stalzer; Steele; Stevens;  
24 Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Speaker Gosch

25 Nays:

26 Bartling; Hunhoff (Bernie); Kaiser; Nelson; Russell; Schrempp; Wismer

27 So the motion having received an affirmative vote of a two-thirds majority of the members-  
28 elect, the Speaker declared the motion carried and the amendments were concurred in.

29 Rep. Romkema moved that the House do concur in Senate amendments to HB 1112.

30 The question being on Rep. Romkema's motion that the House do concur in Senate  
31 amendments to HB 1112.

1 And the roll being called:

2 Yeas 63, Nays 7, Excused 0, Absent 0

3 Yeas:

4 Anderson; Bartling; Bolin; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden;  
5 Duvall; Ecklund; Erickson; Feickert; Feinstein; Haggar (Don); Haggar (Jenna); Hajek; Hawks;  
6 Hawley; Heinemann (Leslie); Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer; Kirschman;  
7 Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson; Munsterman; Novstrup (David);  
8 Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema;  
9 Rounds; Rozum; Schaefer; Schoenfish; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson;  
10 Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

11 Nays:

12 Gibson; Greenfield; Heinert; Kaiser; Nelson; Russell; Schrempp

13 So the motion having received an affirmative vote of a two-thirds majority of the members-  
14 elect, the Speaker declared the motion carried and the amendments were concurred in.

15 Rep. Romkema moved that the House do concur in Senate amendments to HB 1040.

16 The question being on Rep. Romkema's motion that the House do concur in Senate  
17 amendments to HB 1040.

18 And the roll being called:

19 Yeas 66, Nays 4, Excused 0, Absent 0

20 Yeas:

21 Anderson; Bartling; Cammack; Campbell; Carson; Conzet; Craig; Cronin; Dryden; Duvall;  
22 Ecklund; Erickson; Feickert; Feinstein; Gibson; Greenfield; Haggar (Don); Haggar (Jenna);  
23 Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie);  
24 Johns; Killer; Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson;  
25 Munsterman; Novstrup (David); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring;  
26 Romkema; Rounds; Rozum; Russell; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum;  
27 Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer;  
28 Speaker Gosch

29 Nays:

30 Bolin; Kaiser; Nelson; Olson (Betty)

31 So the motion having received an affirmative vote of a majority of the members-elect, the  
32 Speaker declared the motion carried and the amendments were concurred in.

Rep. Don Haggar moved that the House do not concur in Senate amendments to HB 1213 and that a committee of three on the part of the House be appointed to meet with a like committee on the part of the Senate to adjust the differences between the two houses.

Which motion prevailed and the Speaker appointed as such committee Reps. Munsterman, Don Haggar, and Killer.

Speaker Pro tempore Wink now presiding.

### CONSIDERATION OF REPORTS OF CONFERENCE COMMITTEES

Rep. Gosch moved that the House do not adopt the report of the Conference Committee on HB 1177 and that a new committee on the part of the House be appointed.

Which motion prevailed.

Speaker Gosch now presiding.

### CONSIDERATION OF REPORTS OF JOINT-SELECT COMMITTEES

Rep. Lust moved that the report of the Joint-Select Committee relative to the Joint Rules for the Ninetieth Legislative Session as found on pages 736 to 738 of the House Journal be adopted.

The question being that the report of the Joint-Select Committee relative to the Joint Rules for the Ninetieth Legislative Session as found on pages 736 to 738 of the House Journal be adopted.

And the roll being called:

Yeas 64, Nays 6, Excused 0, Absent 0

Yeas:

Anderson; Bartling; Bolin; Cammack; Carson; Conzet; Craig; Cronin; Dryden; Duvall; Ecklund; Erickson; Feickert; Feinstein; Gibson; Haggar (Don); Hajek; Hawks; Hawley; Heinemann (Leslie); Heinert; Hickey; Hoffman; Hunhoff (Bernie); Johns; Killer; Kirschman; Kopp; Langer; Latterell; Lust; Magstadt; May; Mickelson; Munsterman; Novstrup (David); Olson (Betty); Otten (Herman); Parsley; Peterson; Qualm; Rasmussen; Ring; Romkema; Rounds; Rozum; Schaefer; Schoenfish; Schrempp; Sly; Soli; Solum; Stalzer; Steele; Stevens; Tulson; Tyler; Verchio; Werner; Westra; Wick; Wink; Wismer; Speaker Gosch

1 Nays:  
2 Campbell; Greenfield; Haggar (Jenna); Kaiser; Nelson; Russell

3 So the motion having received an affirmative vote of a majority of the members-elect, the  
4 Speaker declared the motion carried.

5 Rep. Munsterman moved that the report of the Joint-Select Committee relative to making  
6 arrangements for the legislative days for the Ninetieth Legislative Session as found on page 738  
7 of the House Journal be adopted.

8 Which motion prevailed.

9 **ANNOUNCEMENTS**

10 The Speaker appointed Reps. Hoffman, Westra, and Heinert as a committee of three on the  
11 part of the House to meet with a like committee on the part of the Senate to adjust the  
12 differences between the two houses on HB 1177.

13 There being no objection, the House reverted to Order of Business No. 8.

14 **MOTIONS AND RESOLUTIONS**

15 Rep. Lust moved that when we adjourn today, we adjourn to convene at 10:00 a.m. on  
16 Thursday, March 13, the 36<sup>th</sup> legislative day.

17 Which motion prevailed.

18 There being no objection, the House reverted to Order of Business No. 5.

19 **REPORTS OF STANDING COMMITTEES**

20 MR. SPEAKER:

21 The Committee on Legislative Procedure respectfully reports that HB 1033, 1054, 1096,  
22 1118, 1120, 1165, 1184, 1185, 1192, 1199, and 1229 were delivered to his Excellency, the  
23 Governor, for his approval at 9:45 a.m., March 12, 2014.

1 Also MR. SPEAKER:

2 The Committee on Legislative Procedure respectfully reports that HJR 1001 was delivered  
3 to his Excellency, the Secretary of State, for filing at 9:45 a.m., March 12, 2014.

4 Also MR. SPEAKER:

5 The Committee on Legislative Procedure respectfully reports that the Office of Engrossing  
6 and Enrolling has carefully compared HB 1019, 1025, 1038, 1039, 1045, 1069, 1127, 1129,  
7 1143, 1148, and 1162 and finds the same correctly enrolled.

8 Respectfully submitted,  
9 Brian G. Gosch, Chair

10 **SIGNING OF BILLS**

11 The Speaker publicly read the title to

12 HB 1019: FOR AN ACT ENTITLED, An Act to provide certain provisions regarding the  
13 requirements for postsecondary institutions to participate in a multistate state authorization  
14 reciprocity agreement for distance education activities.

15 HB 1025: FOR AN ACT ENTITLED, An Act to revise certain statutes and administrative  
16 rules regarding licensure of nursing facility administrators and to increase certain fees.

17 HB 1038: FOR AN ACT ENTITLED, An Act to authorize the Department of Public Safety  
18 to build a highway patrol office and motorcycle training facility in Rapid City, to make an  
19 appropriation therefor, and to declare an emergency.

20 HB 1039: FOR AN ACT ENTITLED, An Act to revise certain reversion provisions  
21 relating to the General Appropriations Act for fiscal year 2013.

22 HB 1045: FOR AN ACT ENTITLED, An Act to revise unemployment insurance  
23 contribution rates.

24 HB 1069: FOR AN ACT ENTITLED, An Act to revise the maximum redemption fee for  
25 property tax deeds.

26 HB 1127: FOR AN ACT ENTITLED, An Act to provide an exemption for alimony  
27 payments in debtor filings.

28 HB 1129: FOR AN ACT ENTITLED, An Act to prohibit the use of certain explosive  
29 targets in the Black Hills Forest Fire Protection District.



1 HB 1143: FOR AN ACT ENTITLED, An Act to repeal certain provisions regarding  
2 unemployment insurance benefit eligibility of workers attending approved training.

3 HB 1148: FOR AN ACT ENTITLED, An Act to provide a license for certain businesses  
4 to allow patrons to manufacture malt beverages and wines on the licensed premises for personal  
5 use.

6 HB 1162: FOR AN ACT ENTITLED, An Act to prohibit the practice of sex-selective  
7 abortions, to establish certain procedures to better ensure that sex-selective abortions are not  
8 practiced in South Dakota, and to provide penalties therefor.

9 SB 3: FOR AN ACT ENTITLED, An Act to provide for continuity in the judicial review  
10 of certain lawsuits, complaints, and petitions between parties to a petition for certain protection  
11 orders.

12 SB 7: FOR AN ACT ENTITLED, An Act to modify the persons eligible for protection  
13 from domestic abuse and to revise certain terminology.

14 SB 13: FOR AN ACT ENTITLED, An Act to make use of hand-held mobile telephones  
15 while driving a commercial motor vehicle a serious traffic violation and to update certain  
16 references to federal regulations regarding the issuance of commercial driver licenses.

17 SB 16: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to purchase  
18 improved real property in Brookings County and to make an appropriation therefor.

19 SB 17: FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to purchase  
20 improved real property in the city of Brookings and to make an appropriation therefor.

21 SB 26: FOR AN ACT ENTITLED, An Act to establish certain electronic crime victim  
22 notification procedures.

23 SB 36: FOR AN ACT ENTITLED, An Act to transfer the functions of the South Dakota  
24 Railroad Authority to the South Dakota Railroad Board.

25 SB 68: FOR AN ACT ENTITLED, An Act to adopt the uniform real property electronic  
26 recording act, to use an existing funding source to implement the provisions of this Act, and to  
27 revise certain provisions concerning electronic recording.

28 SB 81: FOR AN ACT ENTITLED, An Act to prohibit the possession of certain items in  
29 jails, to provide a penalty therefor, and to revise the penalty for the procurement of certain items  
30 into a jail.

31 SB 85: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding  
32 confidential criminal justice information.

33 SB 118: FOR AN ACT ENTITLED, An Act to revise certain criminal penalties for  
34 intentional damage to private property.

1 SB 125: FOR AN ACT ENTITLED, An Act to prohibit registered sex offenders from  
2 loitering in certain areas.

3 SB 145: FOR AN ACT ENTITLED, An Act to encourage schools to provide instruction  
4 in cardiopulmonary resuscitation.

5 SB 163: FOR AN ACT ENTITLED, An Act to prohibit a social host from permitting the  
6 underage consumption of alcoholic beverages on the social host's premises and to provide  
7 penalties therefor.

8 SB 181: FOR AN ACT ENTITLED, An Act to define vapor products as tobacco products  
9 for the purpose of regulating the use of the products by minors and to place certain restrictions  
10 on the sale of vapor products.

11 SB 183: FOR AN ACT ENTITLED, An Act to revise the trust fund requirements for  
12 perpetual cemeteries, and to declare an emergency.

13 And signed the same in the presence of the House.

14 Rep. Steele moved that the House do now adjourn, which motion prevailed and at  
15 3:12 p.m. the House adjourned.

16 Arlene Kvislen, Chief Clerk